
MINUTES

Meeting: **Planning Committee**

Date: Friday 8 September 2023 at 10.00 am

Venue: Aldern House, Baslow Road, Bakewell

Chair: Cllr P Brady

Present: Cllr V Priestley, Cllr M Beer, Cllr M Buckler, Cllr M Chaplin, Cllr B Hanley, Cllr A Hart, Cllr L Hartshorne, Cllr I Huddleston, Cllr Mrs K Potter, Cllr K Richardson, Miss L Slack and Mr K Smith

Apologies for absence: Cllr D Murphy and Cllr C O'Leary.

101/23 APOLOGIES FOR ABSENCE, ROLL CALL OF MEMBERS PRESENT AND MEMBERS DECLARATIONS OF INTEREST

Cllr Beer and Cllr Buckler attended the meetings as observers.

Item 9

Miss Slack declared a prejudicial interest in this item due to her relationship with the applicant and confirmed that she would have to leave the room for the duration of this item.

Item 10

Jane Newman, the agent for the application discussed in this item, was known to most Members as a former employee of the Peak District National Park Authority.

Item 11

All Members declared an interest in this item due to an email that they had received from Cllr Peter O'Brien.

Cllr Brady declared that the agent, Roger Yarwood, was known to him professionally, but they had not discussed the application.

Cllr Brady also declared that Sir Richard FitzHerbert, who was registered to speak on this item, was known to him as a regular attendee at previous Planning Committees.

Cllr Brady also declared that he had received an email from the applicant for this item.

Cllr Hart declared an interest in this item due to his capacity as a Member on the Enjoy Staffordshire Board.

102/23 MINUTES OF PREVIOUS MEETING OF THE 14 JULY 2023

The minutes of the last meeting of the Planning Committee held on 14 July 2023 were approved as a correct record.

103/23 URGENT BUSINESS

The Chair of the Planning Committee had 2 items to discuss as a matter of Urgent Business.

The Head of Planning gave an update to the Planning Committee on the Secretary of State's concerns about the performance of the Authority's planning department. He reported that throughout the last three quarters up to the end of June, the planning department were above the national standard for performance on determining non-major planning applications either within the 8-week time period, or using agreed extension of time. The Head of Planning had also updated the Secretary of State on the structural changes that were being done within the planning department and that he was working with the Planning Advisory Service to keep the review and momentum going. The Chair of the Planning gave his thanks to the Head of Planning and the staff for their hard work towards achieving such progress.

The Head of Planning also gave an update about the national consultations that were ongoing which aims to increase the delivery of housing through various proposed changes to national planning policy and permitted development rules, e.g. by allowing the change of use of agricultural buildings to dwelling houses. This would allow traditional barns and modern portal frame buildings to be converted into habitable dwellings without the owner having to obtain further planning permission. He stated that this was a big concern for the National Park and several other National Parks and that the Authority needs to present evidence of how this could harm our statutory purposes and also data to show how many barn conversions are already approved within the current policies. These current policies allow the National Park to control the flow of development in the right places with the right design but the new proposals for permitted development risk losing the character of these barns and the wider landscape with unfettered development.

Members were positive about the Authority's position against these policy proposals and endorsed every effort to stand strongly against them.

104/23 PUBLIC PARTICIPATION

Eleven members of the public were present to make representations to the Committee.

105/23 CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2019 - TO REPAIR MAGDALEN ROAD (PRIVATE CARRIAGE ROAD AND BRIDLEWAY). TO REPLACE A COLLAPSED STONE CULVERT WITH PLASTIC PIPE AND REPAIR THE TRACK USING LOCALLY SOURCED SANDSTONE. THE FINAL COVERING WILL BE 20MM TO DUST. THE WHEEL MARKS MADE DURING THE WORK WILL BE FILLED SEPARATELY, LEAVING GRASS IN THE CENTRE. PUBLIC BRIDLEWAY MELTHAM/50, MAGDALEN ROAD, MELTHAM MOOR, MELTHAM (NP/K0121/0026, JRS)

This item was dealt with at the same time as Item 6.

RESOLVED:

To adopt this report as the Authority's assessment of likely significant effects on internationally important protected habitats and species under Regulation 63 of

the Conservation of Habitats and Species Regulations 2019 (as amended) in relation to the planning application at Magdalen Road (NP/K/0121/0026).

106/23 FULL APPLICATION - TO REPAIR MAGDALEN ROAD (PRIVATE CARRIAGE ROAD AND BRIDLEWAY). TO REPLACE A COLLAPSED STONE CULVERT WITH PLASTIC PIPE AND REPAIR THE TRACK USING LOCALLY SOURCED SANDSTONE. THE FINAL COVERING WILL BE 20MM TO DUST. THE WHEEL MARKS MADE DURING THE WORK WILL BE FILLED SEPARATELY, LEAVING GRASS IN THE CENTRE. PUBLIC BRIDLEWAY MELTHAM/50, MAGDALEN ROAD, MELTHAM MOOR, MELTHAM (NP/K/0121/0026, JRS)

The report was introduced by the Planning Officer who laid out the reasons for approval as set out in the report.

The following spoke under the public participation at meetings scheme:

- Robert Howard, supporter

Members queried the impact that the works would have on the public and if there were any provisions to prevent future washouts on the track. Officers replied that the work would be carried out without affecting the public and that drainage would be fitted under the track to prevent washouts.

A motion to approve the application was proposed, seconded, voted on and carried.

RESOLVED:

To APPROVE the planning application subject to the following conditions:

1. **Statutory time limit for implementation.**
2. **Development in accordance with the submitted plans and specifications, subject to the following conditions:**
3. **Submit a Construction Environmental Management Plan (CEMP) for approval; carry out scheme in accordance with approved plan.**
4. **A programme of timing of the works be agreed to avoid the bird nesting season in the designated SPA.**
5. **Agree sample/specifications of stone to be used for surfacing and carry out a sample section of surfacing for approval prior to carrying out the scheme.**
6. **Agree the location of any storage areas for materials.**

107/23 FULL APPLICATION - CREATION OF VEHICULAR ACCESS FROM WOODHEAD ROAD. PARKING FOR ONE VEHICLE WHEN REQUIRED AND NEW DRY-STONE BOUNDARY WALL. REMOVAL OF BARB WIRE FENCING AND LEVELLING OF GROUND AT THE MISTAL BARN, 343 WOODHEAD ROAD, HOLME. NP/K/0421/0383 - JK)

Officers had received extra information the day before the Committee meeting and had thus changed their recommendation to defer the application to allow more time to consult on the information they had received.

A motion to defer this item was proposed, seconded, voted on and carried.

RESOLVED:

To DEFER the application.

108/23 FULL APPLICATION - PROPOSED FORESTRY BUILDING AT LAND OFF THE A625 FROGGATT BRIDGE, CALVER (NP/DDD/0623/0604, SC)

This Item was withdrawn and deferred to a later committee following a request by the applicant and agent as they were unable to attend this meeting and wished to be present to represent their case in support of the application.

109/23 FULL APPLICATION - PROPOSED AGRICULTURAL BUILDING TO HOUSE LIVESTOCK AND ISOLATION UNIT ON LAND NORTH OF LITTON DALE ROAD, LITTON DALE. (NP/DDD/1222/1583, SC)

Ms Slack left the room for the duration of this item as she had declared a prejudicial interest in the application.

The report was introduced by the Planning Officer who outlined the reasons for refusal as set out in the report.

The following spoke under the public participation at meetings scheme:

- Jo Harrison, agent – statement read out by Democratic Services

In response to questions from Members, Officers raised the following points:

- The need to isolate animals is understood but this could occur elsewhere in a place that would not have such an impact on the landscape.
- The application had included little detail on landscaping and what would be included here would take time to grow and take effect.
- The location is not located in a dip in the landscape and is more or less level with the road.
- There would be no possibility to dig the building into the ground to make it less visible.

Members raised the point that a building did previously exist at the site, but others pointed out that the proposed building is nearly three times the size and with a different purpose to the original.

Members were sympathetic towards the agricultural need, but they were divided in their opinions of whether this application was the appropriate response to such need. Some Members pointed out that the proposed building was out of character with the local area, had too big a visual impact on the historic landscape, and that there were better ways to address the agricultural need for isolating farm animals.

A motion to move the recommendations to refuse the application for the reasons given in the report was proposed, seconded and voted on: there being an equality of votes, the chair exercised his second (casting) vote in favour of the motion.

RESOLVED:

To REFUSE the application for the following reasons:

- 1. The building and associated hardstanding, by virtue of their isolated siting and appearance, would have a significant and adverse visual impact harming the valued characteristics and appearance of the landscape and the wider scenic beauty of the National Park.**

The proposal is therefore contrary to the landscape conservation objectives set out in the NPPF and the Authority's Development Plan Policies: Core Strategy GSP1, GSP2, GSP3, DS1 & L1 and Development Management Policies DMC3 & DME1.

The meeting adjourned for a short break at 10:57

110/23 STATEMENT OF COMMUNITY INVOLVEMENT (CW)

This Item was brought forward as the meeting was ahead of schedule and the speaker for the next item had not yet arrived.

The report was introduced by the Community Policy Planner. She pointed out that there had been a minor amendment to the report in Paragraph 6.9 to correct a reference to delegating powers which was being discussed with the Chair of Planning.

Members encouraged the continuation of advertising planning applications in local newspapers.

Members asked for a change in wording to paragraph 2.6.3 of the report to make it clear that the Peak Park Parishes Forum can make representations to the Planning Authority regardless of if they have been consulted on an application or not.

A motion to accept the recommendations was proposed, seconded, voted on and carried.

RESOLVED:

- 1. That, subject to any further comments, members agree the draft revised version of the Statement of Community Involvement at Appendix 1; and**
- 2. In accordance with the authorisation granted by full Authority on the 19th May 2023, that approval of the final version be passed to the Head of Planning in consultation with the Chair and Vice Chair of Planning Committee.**

111/23 FULL APPLICATION - S.73 APPLICATION FOR THE REMOVAL AND VARIATION OF CONDITION 2 AND 7 ON NP/DDD/1222/1562 AT NEWBY HOUSE, OVER LANE, BASLOW NP/DDD/0623/0639, WE)

Some Members had visited the site the previous day.

The report was introduced by the Planning Officer who explained the reasons for refusal as set out in the report. He also told Members that the current application needed to be determined on its own merits and advised them not to give too much weight to what was already approved.

The following spoke under the public participation at meetings scheme:

- Jane Newman

Members agreed that while the extension was a unique and striking design and somewhat strayed from the vernacular style, it was clear from the Site Visit that the design worked well.

The Planning Officer gave a list of conditions that would be applied if Members were minded to approve the application.

The Planning Officer explained that the variation of the condition relating to the removal of permitted development rights had not been applied for in this application but that it may be possible to find a way to reinstate permitted development rights relating to solar panels – a minor non-material amendment had been mentioned.

A motion to approve the application was proposed, seconded, voted on and carried.

RESOLVED:

To APPROVE subject to the following conditions:

- 1. Statutory 3-year time limit for building commencement**
- 2. In accordance with approved plans**
- 3. Materials to match the original building**
- 4. Any conditions that are relevant from the prior proposal**
- 5. Detailed conditions to be approved by the Chair and Vice Chair.**

112/23 FULL APPLICATION - CHANGE OF USE FROM DOMESTIC GARDEN TO CAMPING POD SITE AT TOP RILEY, RILEY LANE, EYAM (NP/DDD/1121/1299, AM)

The Planning Officer reminded Members of the application and laid out the reasons for refusal as set out in the original report. The Policy and Communities Team Manager introduced the report and outlined the policy implications of approving such an application and advised Members to stick to the original recommendation of refusing the application. She also highlighted a couple of errors in the report, namely in paragraph 21 of the report where the policy should be DMR1C instead of RT1 C, and paragraph 24 where the policy should read RT3B instead of RT1C.

The following spoke under the public participation at meetings scheme:

- Sir Richard FitzHerbert, supporter – statement read out by Democratic Services
- Cllr Peter O'Brien, supporter – statement read out by Democratic Services
- Mano Belivanis, applicant and Roger Yarwood, agent.

Members and Officers discussed the size of the pods in comparison to other similar pods that

had been approved, for example at North Lees, or refused and found that in addition to the pods being slightly bigger than others that had also been refused, another key issue officers had with them was the nature of their complexity by including additional rooms and services, making them more akin to chalets as opposed to simple camping pods. The Officer pointed out that, due to the fact that it had a shower and toilet plumbed in, it was built into the ground and had space for a small kitchen and living area, a bedroom and bathroom, and was fully set up with electricity, the pods were not small simple structures but more of a holiday dwelling. In comparison, the approved pods at North Lees had no plumbed in services, no separate rooms within the pod, and were smaller in size.

The discussion highlighted issues around the lack of clarity of some of the policies, specifically that there was no definition for what is considered small and simple, and this sparked conversation on whether these policies need reviewing.

Members acknowledged that the site location worked well but that the proposals over-stepped the policy lines that could lead to many more, larger, permanent structures in the landscape over time. Members highlighted that if tourists were desperate to have toilets and showers as part of their holiday dwelling, they could choose a different form of holiday accommodation which included these facilities – the glamping pod is unique in that they typically have external, communal facilities.

A motion to refuse the application was proposed, seconded, voted on and carried.

RESOLVED:

To REFUSE the application for the following reasons:

- 1. The proposal is considered to be unacceptable by virtue of the number, scale and nature of the pods. As such the proposal is in conflict with Core Strategy policy RT3 and DM policy DMR1.**
- 2. The proposal would be contrary to Core Strategy policy T6 and DM policy DMT5 *Development affecting a public right of way* as it would increase vehicular traffic on the public right of way network serving the site, to the detriment of the quiet enjoyment of the route by walkers and riders.**

113/23 FULL APPLICATION - RETROSPECTIVE APPLICATION FOR THE ERECTION OF TIMBER STRUCTURES AND PLATFORMS FOR USE AS HOLIDAY ACCOMMODATION AT ROCKING STONE FARM, ROWTER LANE, BIRCHOVER. (NP/DDD/0523/0521)

Some Members had visited the site the previous day.

The report was introduced by the Planning Officer who outlined the reasons for refusal as set out in the report.

The following spoke under the public participation at meetings scheme:

- Luke Osborne, supporter
- Linda Neale, supporter
- Kiara O'Rourke, supporter – statement read out on behalf of the applicant

Members highlighted that the building was small and simple and was invisible to the public. However, Members pointed out that the build was in a very special, historic and natural location amongst a rock outcrop and that the localised landscape needed to be protected in its own right. It was also noted that future changes to public access or land ownership that changed the public visibility of the proposals could not be predicted. Members were concerned about the precedent that approving such an application would have, and that it could easily give rise to similar types of proposals at countless other sites. Officers also pointed out that it differs from approved small pod-like structures that have policy support in some settings, in that it has several associated external structures included such as the toilet, hot tub, dining area and washing area.

A motion to refuse the application was proposed, seconded,

RESOLVED:

To REFUSE the application for the following reasons:

- 1 The development amounts to the siting of new build permanent holiday accommodation akin to chalets and static caravans, contrary to CS policies RT2C & RT3B and Development Management Policy DMR1.**
- 2 By virtue of the isolated location in open countryside, the existing cabin and associated structures do not meet the criteria set out in part A of CS Policy L1, which requires development to conserve and enhance the valued landscape character of the area.**

The meeting adjourned for a short break at 12:50

In accordance with the Authority's Standing Orders, the meeting voted to continue its business beyond 3 hours.

114/23 FULL APPLICATION - CHANGE OF USE OF LAND (AREA 10) FROM TOURING/CAMPING PLOTS TO STATIONING OF HOLIDAY LODGES AND STATIC CARAVANS AT ASHBOURNE HEIGHTS CARAVAN PARK, ASHBOURNE ROAD, FENNY BENTLEY (NP/DDD/0523/0520, JS)

Some Members had visited the site the previous day.

The report was introduced by the Planning Officer who laid out the reasons for approval as set out in the report.

The following spoke under the public participation at meetings scheme:

- Chris Waumsley, agent

Members were positive about the application stating that in comparison to the previous application, this was a development in the right location and mentioned that they were glad to also note the enhancement to the site by the removal of the existing obtrusive electricity lines which were due to be moved underground.

Members asked for an extra condition to clearly define the footpath leading to the site.

A motion to approve the application subject to the extra condition was moved, seconded, voted on and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1 Statutory 3 year commencement.
- 2 Compliance with submitted plans and specifications, subject to the following:
- 3 Submit details of the design and external appearance, including colour of the static caravans and lodges.
- 4 Occupancy of units to be short stay holiday accommodation, maximum 28 days per person per calendar year, no occupancy permitted 16 January to 1 March in each calendar year
- 5 Submit and implement a Landscape and Ecological Management Plan (LEMP) to include the location and specification of bat and bird features along with objectives and management prescriptions for the enhancement of the habitat on site (including details regarding the proposed water basin, grassland and trees).
- 6 Submit and implement woodland management plan.
- 7 Scheme of Archaeological Works:
 1. *No development shall take place until a Written Scheme of Investigation for a programme of archaeological work (trial trenching and any subsequently required mitigation) has been submitted to and approved by the National Park Authority in writing. The scheme shall include an assessment of significance and research questions; and*
 1. *The programme and methodology of site investigation and recording;*
 2. *The programme for post investigation assessment;*
 3. *Provision to be made for analysis of the site investigation and recording;*
 4. *Provision to be made for publication and dissemination of the analysis and records of the site investigation;*
 5. *Provision to be made for archive deposition of the analysis and records of the site investigation;*
 6. *Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.*
 2. *No development shall take place until all pre-start elements of the approved scheme and any subsequent mitigation required have been completed to the written satisfaction of the local planning authority, and all subsequent development will take place in accordance with the Written Scheme of Investigation approved under condition a).*

3. Within a period of 12 weeks from completion of the development the archaeological site investigation and post investigation analysis and reporting shall have been completed in accordance with the (set out in the Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive deposition shall have been secured.

- 8 Submit and implement Travel Plan for both staff and visitors staying at the site.**
- 9 The holiday lodges and static caravans, the subjects of the application, shall not be taken into use until space has been provided within the application site in accordance with the application drawings for the parking of visitors vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.**
- 10 Drainage conditions recommended by the Lead Local Flood Authority (see report).**
- 11 Scheme of waymarking of public footpath to be agreed and implemented.**

115/23 FULL APPLICATION - PROPOSED AGRICULTURAL 'L' SHAPED BUILDING TO HOUSE LIVESTOCK AND STORE FODDER AND ACCESS TRACK - LAND SOUTH OF B5056 FENNY BENTLEY - (NP/DDD/1222/1557 GB/MN)

Some Members had visited the site the previous day.

The report was introduced by the Planning Officer who explained the reasons for the recommendation of refusal as set out in the report. The application had been deferred from a previous committee meeting. He pointed out some amendments to the plans and in the report in paragraphs 12 and 13, arising from changes to the proposals since the application was last at committee. In paragraph 12 it should read 'a hardstanding to the north-east' as the building had been re-oriented, and paragraph 13 was removed entirely and replaced with new measurements denoting a reduction in size of the proposed building since its previous consideration.

The following spoke under the public participation at meetings scheme:

- Jo Harrison, agent – statement read out by Democratic Services

Members were grateful to the applicant for listening to comments from Members in the previous meeting and amended their application to reflect this. Members could understand the agricultural need for the building but were concerned about the exposure and visibility of such a large building in an open landscape. However, from the site visit, Members learned that due to the nature of the road that overlooks the proposed building, it would only be in view for a very short amount of time. It was also pointed out that this building would reduce the amount of agricultural traffic on the highway.

Members asked the Planning Officer if there were any improvements that could be made regarding the screening of the building. He suggested that the scope of impacts could be reduced by changing the cladding material to vertically boarded timber, and a hedgerow bounding the outer edge of yard fencing could be required. Members agreed that these were good options and were minded to approve the application subject to these being

added as conditions. They pointed out that these hedgerows also bring wildlife and biodiversity to the location.

Members recalled some issues around drainage that were discussed at the previous planning committee where this item had been discussed, to which officers confirmed that the amended application had addressed these concerns and that runoff should not affect highways.

A motion to approve the application was proposed, seconded, voted on and carried.

RESOLVED:

To APPROVE the application subject to the following conditions:

- 1. 3-year statutory time limit for building commencement**
- 2. Adopt approved plans**
- 3. Timber cladding**
- 4. Landscaping carried out**
- 5. Hedgerow along fence boundary of yard**
- 6. External lighting**
- 7. Spoil disposal details to be agreed**
- 8. Building to be removed if the agricultural need no longer exists**

116/23 LISTED BUILDING CONSENT APPLICATION - CONVERSION OF TRADITIONAL, CURTILAGE LISTED FARM BUILDINGS TO 6 NO. DWELLINGS, GREENCROFT FARM, MIDDLETON BY YOULGRAVE (NP/DDD/1122/1464, JRS) - ITEM WITHDRAWN

This Item was withdrawn.

117/23 FULL APPLICATION - CONVERSION OF TRADITIONAL, CURTILAGE LISTED FARM BUILDINGS TO 6 NO. DWELLINGS, GREENCROFT FARM, MIDDLETON BY YOULGRAVE (NP/DDD/1122/1463, JRS) - ITEM WITHDRAWN

This Item was withdrawn.

118/23 PLANNING APPEALS REPORT (A.1536)

A motion to move the recommendation was proposed, seconded, voted on and carried.

RESOLVED:

To note the report.

The meeting ended at 13:32pm.